

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16612 of 2021**

Arising Out of PS. Case No.-60 Year-2020 Thana- MORKAHI District- Khagaria

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1. NANDAN KUMAR Son of Bijal Sada
 2. Dhramveer Kumar Son of Sikandar Sada
- Both resident of Village- Amousi, P.S.- Morkahi, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyadarshi Matri Sharan, Adv.
For the Opposite Party/s : Mr. Manoj Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY
ORAL ORDER**

4 08-03-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

The petitioners apprehend their arrest for the offences alleged under Sections 302/34 of the IPC, registered in connection with Morkahi P.S. Case No.60 of 2020.

At the very outset, the learned APP has submitted that from page-31 of the case diary, it appears that the process under Section 83 of the Cr.P.C. has been initiated and the petitioners are not entitled for anticipatory bail.

In view of the aforesaid submission, this application is dismissed as not maintainable, in the light of the decision in the case of Prem Shankar Prasad Vs. The State of Bihar & Anr.



(2021 SCC online SC 955).

If the petitioners surrender and seek regular bail before the court below, their bail applications shall be considered on their own merit, without being prejudiced by this order.

Office shall ensure that all the defects are removed by the petitioners within the stipulated time provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

Prakash Narayan /-

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